

Declaration for Patent Application

Docket Number: 1619.0090000/SRL/PAJ

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archaeal, Bacterial, Fungal and Parasitological Microorganisms from Clinical Specimens for Diagnosis**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on **September 28, 2000 (International Filing Date)** ;
as PCT International Application Number **PCT/CA00/01150**; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | | | Priority Claimed |
|--|----------------------------|---|---|
| <u>CA 2,283,458</u> (Application No.) | <u>Canada</u> (Country) | <u>28/09/99</u> (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <u>CA 2,307,010</u> (Application No.) | <u>Canada</u> (Country) | <u>19/05/00</u> (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application No.) _____
(Filing Date)

(Application No.) _____
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application No.) _____
(Filing Date) _____
(Status - patented, pending, abandoned)

(Application No.) _____
(Filing Date) _____
(Status - patented, pending, abandoned)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|---|---|--------------------------------------|
| Full name of sole or first inventor | Michel G. BERGERON | |
| Signature of sole or first inventor x <i>[Signature]</i> | | Date x 29 th June 2001 |
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| | | |
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|-----------------------------------|--|----------------------|
| Full name of third inventor | Ann HULETSKY | |
| Signature of third inventor x | <i>Ann Hulet</i> | Date x 29/06/2001 |
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| Full name of fourth inventor | Christian MÉNARD | |
| Signature of fourth inventor x | <i>Christian Ménard</i> | Date x 17/07/2001 |
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| Full name of fifth inventor | Marc OUELLETTE | |
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| Full name of sixth inventor | François J. PICARD | |
| Signature of sixth inventor x | <i>François Picard</i> | Date x 29/06/01 |
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| | | |

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|------------------------------------|--|------------------------------|
| Full name of seventh inventor | Paul H. ROY | |
| Signature of seventh inventor x | <i>Paul H. Roy</i> | Date <i>29 April 2001</i> |
| Residence | Quebec, CANADA | CA |
| Citizenship | United States | |
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| | | |

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(Supply similar information and signature for subsequent joint inventors, if any)

Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Michel G. BERGERON, Maurice BOISSINOT, Ann HULETSKY, Christian MÉNARD, Marc OUELLETTE, François J. PICARD, Paul H. ROY

Application No./Patent No.: PCT/CA00/01150

Filed/Issue Date: 28 September 2000

Entitled: **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archaeal, Bacterial, Fungal and Parasitical Microorganisms from Clinical Specimens for Diagnosis**

Infectio Diagnostic (I.D.I.) Inc.

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: x 18 juillet 2001

Name: x Jean-Pierre Gayral

Title: x Vice-président, Développement de produits

Signature: x

POWER OF ATTORNEY FROM ASSIGNEE

SRL
Ry No 36.163
3/27/02

INFECTIO DIAGNOSTIC (I.D.I.) INC., having a principal place of business at **2050 René-Lévesque Blvd. West, 4th Floor, Ste-Foy, Quebec G1V 2K8 CANADA**, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on 1) 6/29/01 ; 2) 6/29/01 ; 3) 6/29/01 ; 4) 7/17/01 ; 5) 6/29/01 ; 6) 6/29/01 ; and 7) 6/29/01 of an invention known as **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archaeal, Bacterial, Fungal and Parasitological Microorganisms from Clinical Specimens for Diagnosis** (Attorney Docket No. 1619.0090000/SRL/PAJ), which is disclosed and claimed in a patent application of the same title by the inventor(s) **Michel G. Bergeron, Maurice Boissinot, Ann Huletsky, Christian Ménard, Marc Ouellette, François J. PICARD and Paul H. Roy** (said application filed on _____ at the U.S. Patent and Trademark Office, having Application Number _____, which is the U.S. National Phase of PCT/CA00/01150, International Filing Date: September 28, 2000).

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; and Linda E. Alcorn, Esq., Reg. No. 39,588. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

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Direct phone calls to 202-371-2600.

FOR: **INFECTIO DIAGNOSTIC (I.D.I.) INC.**

SIGNATURE: ☒ _____

BY: ☒ **Jean-Pierre Gayral**

TITLE: ☒ **Vice-président, Développement de produits**

DATE: ☒ **18 juillet 2001**